

# **Exhibit 15**

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21 ALPHA & OMEGA SEMICONDUCTOR, INC.  
22 ALPHA & OMEGA SEMICONDUCTOR, LTD.

23 UNITED STATES DISTRICT COURT  
24 NORTHERN DISTRICT OF CALIFORNIA  
25 SAN FRANCISCO DIVISION

26 ALPHA & OMEGA SEMICONDUCTOR,  
27 INC., a California corporation; and  
28 ALPHA & OMEGA SEMICONDUCTOR,  
LTD., a Bermuda corporation,

Plaintiffs,

v.

FAIRCHILD SEMICONDUCTOR  
CORP., a Delaware corporation,

Defendant.

AND RELATED COUNTERCLAIMS

Case No. C 07-2638 JSW

**ALPHA & OMEGA SEMICONDUCTOR,  
INC.'S FIRST SET OF REQUESTS TO  
FAIRCHILD SEMICONDUCTOR CORP.  
FOR PRODUCTION OF DOCUMENTS  
AND THINGS**

Pursuant to Rules 26 and 34 of the Federal Rules of Civil Procedure, Plaintiff and Counterclaim-Defendant Alpha & Omega Semiconductor, Inc. ("AOS") requests that Defendant and Counterclaimant Fairchild Semiconductor Corp. produce the following documents and things for copying and inspection at Morgan, Lewis & Bockius, 3000 El Camino Real, Two Palo Alto Square, Suite 700, Palo Alto, California 94306 on the same date that Fairchild serves its written responses to these requests.

### DEFINITIONS

1. "Fairchild," "you," and "your" means Defendant and Counterclaimant Fairchild Semiconductor Corp., its predecessors and successors, parents, subsidiaries, divisions, affiliates, and other organizational or operating units of any of the foregoing, and its past and present directors, officers, employees, agents and representatives (including attorneys, accountants and consultants), and any other person acting on behalf of such entities.

2. "AOS," and "Plaintiff" means Alpha & Omega Semiconductor, Inc. and/or Alpha & Omega Semiconductor, Ltd., their predecessors and successors, parents, subsidiaries, divisions, affiliates, and other organizational or operating units of any of the foregoing, and its past and present directors, officers, employees, agents and representatives (including attorneys, accountants and consultants), and any other person acting on behalf of such entities.

3. The term "person" shall mean both natural persons and/or other business entities, associations, government agency or other organization recognizable at law and the "acts" of a person are defined to include the acts of directors, officers, owners, members, employees, agents or attorneys acting on the person's behalf.

4. The term "affiliated" in the context of being affiliated with an entity means having worked with or for the entity, having an ownership interest in the entity, being owned at least in part by the entity, serving as a foundry, fabricator, or manufacturer for the entity, or performing any step in the manufacture or processing of the entity's products.

5. The term "document" shall have the broadest possible meaning and refers to any recorded information, including without limitation the original and each non-identical copy of any written, printed, typed, recorded, computerized or electronic data, taped, graphic, or other matter,

1 in whatever form, whether in final or draft, including but not limited to all materials that  
 2 constitute "writings" or "recordings" within the meaning of Rule 1001 of the Federal Rules of  
 3 Evidence and all materials that constitute "documents" within the meaning of Rule 34 of the  
 4 Federal Rules of Civil Procedure. "Electronic data" includes without limitation all text files  
 5 (including word processing documents and presentations), spread sheets, electronic mail  
 6 documents (emails), databases, calendars, computer system activity logs, audit trails, data used  
 7 for electronic data interchange, Internet usage files, network access information, voicemail,  
 8 digitized audio, digital image files, video files (e.g., data stored in MPEG, JPEG, GIF, TIFF, and  
 9 BMP formats) and any other information stored magnetically, optically or electronically, and data  
 10 stored on workstations, laptops, network servers, removable media, handheld devices, backup  
 11 tapes, hard disk drives, diskettes and other computer media such as magnetic tape, floppy disks,  
 12 memory sticks and recordable optical disks. If documents are identified in lieu of answering an  
 13 interrogatory, identify the documents in sufficient detail to permit AOS to locate and identify, as  
 14 readily as Fairchild, the documents and portions therein from which the answer may be  
 15 ascertained.

16 6. The term "thing" has the broadest meaning prescribed in Rule 34, Fed. R. Civ. P.,  
 17 and includes every kind of tangible item, other than a document, in your possession, custody or  
 18 control, for example, without limitation, prototypes, samples, models, or specimens.

19 7. The terms "communication" shall mean any transmittal of information regardless  
 20 of the manner in which such communication took place, including but not limited to, personal  
 21 conversations, correspondence, electronic or computer mail (emails), telephone calls, facsimile  
 22 communications, or telegrams.

23 8. "Prior art" includes without limitation the subject matter described in 35 U.S.C. §§  
 24 102 and 103, including but not limited to U.S. patents having application filing dates before the  
 25 filing date of any subject patent, printed publications published before the filing date of any  
 26 subject patent, anything in public use or on sale more than one year before the filing date of any  
 27 subject patent, anything in secret commercial use by an inventor of any subject patent more than  
 28 one year before the filing date of the subject patent, anything known or used in a publicly

1 accessible form by one other than an inventor of any subject patent before the filing date of the  
2 subject patent, or anything invented by one other than an inventor of any subject patent before the  
3 filing date of the subject patent.

4 9. The term "prosecution" shall mean or refer to proceedings before any patent  
5 office, either the United States Patent and Trademark Office or a foreign patent office, in  
6 connection with the filing of a particular application and/or issuance of a particular patent.

7 10. The term "public use" shall mean or refer to any public or private use or  
8 demonstration, whether experimental or otherwise, of the alleged invention or which disclosed  
9 the alleged invention to anyone other than an employee, agent or attorney of the inventor,  
10 including without limitation existing or potential investors, licensees, customers or distributors.

11 11. Patents or patent applications "related" or "relating" to a patent shall mean or refer  
12 to any patents (whether expired or in force) and patent applications (whether issued, pending or  
13 abandoned) that include any common disclosure with the patent, or that refer in any way to the  
14 patent, including but not limited to continuations, continuations-in-part, divisionals, or any  
15 foreign counterpart applications or patents.

16 12. The term "sale" shall mean or refer to public or private efforts of any sort in  
17 connection with the commercialization of an alleged invention, whether experimental or  
18 otherwise, including without limitation any offers for sale or license, actual sales or licenses, or  
19 any advertising of the alleged invention.

20 13. The term "AOS Asserted Patent" means any or all of U.S. Patent Nos., 5,767,567  
21 ("567 patent") and/or 5,907,776 ("776 patent").

22 14. The term "IC" means any integrated circuit or circuitry.

23 15. The term "MOSFET" means any field effect transistor having a gate terminal  
24 composed of metal and/or metal oxide and/or polysilicon.

25 16. The term "trenched field effect transistor" means any field effect transistor having  
26 a vertical channel extending into a semiconductor substrate.

27 17. The term "conductivity type" means the means by which a semiconductor carries a  
28 charge, and is typically denoted as either p-type or n-type.

1           18. The term "source region" means the region from which current flows in a  
2 transistor with p-type conductivity, or to which current flows in a transistor with n-type  
3 conductivity.

4           19. The term "source contact" means a surface or area through which a voltage can be  
5 applied to a source region.

6           20. The term "lead wire" means a wire connecting to a source contact area and serving  
7 as a means of connecting the transistor through a lead frame with the pins on the packaging.

8           21. The term "gate-runner" means a material that divides a surface contact surface into  
9 more than one area.

10          22. The term "Accused Fairchild Device" shall mean any power MOSFET-based  
11 device made, used, sold, offered for sale, or imported by Fairchild, including without limitation,  
12 the devices identified on Fairchild's web site as Power Modules, Switches, Power Controllers,  
13 Power Drivers, Transistors, TRIACs, Voltage Regulators, Application based Products (Audio,  
14 Video, Lighting, Motor Drivers and USB), Interface, Filters, and Temperature Management, and  
15 further including:

16                   (a) any IC that includes a source contact area that is connected to a lead-frame  
17 by more than one lead-wire; and/or

18                   (b) any trench MOSFET; and/or

19                   (c) any other devices identified by AOS in the course of the litigation as  
20 infringing asserted AOS Asserted Patent.

21          23. The term "Fairchild Asserted Patent" or "counterclaim patents" means U.S. Patent  
22 Nos. 6,429,481 B1 ("481 patent"), 6,521,497 B2 ("497 patent"), 6,710,406 B2 ("406 patent"),  
23 and/or 6,828,195 B2 ("195 patent").

24          24. The term "Accused AOS Device" shall mean that device, product, tool or  
25 equipment that Fairchild contends infringes any Fairchild Asserted Patent.

26          25. These definitions are not intended to be interpretations of any of the terms of the  
27 patents-in-suit. Neither party shall be bound by the interpretations used herein except with  
28 respect to these discovery requests.

REQUESTS

1. All documents and things that you may use to support your claims or defenses.
2. All documents and things on which you intend to rely at trial or at any pre-trial hearing.
3. All documents and things that are identified in or support Fairchild's responses to AOS's First Set Of Interrogatories.
4. All documents and things relating to the AOS Asserted Patents, including, but not limited to, any expired patents, any continuations, continuations-in-part, divisionals, reissues, reexaminations, or counterparts related thereto, and any related foreign patents and patent applications, including any underlying patent applications.
5. All documents supporting or relating to any contention by Fairchild that it does not infringe the AOS Asserted Patents, including without limitation non-infringement studies, non-infringement reports, and any search, opinion, study, investigation, or analysis conducted by or on behalf of you to determine whether you infringe any AOS Asserted Patents.
6. All documents and things relating to Fairchild's contention that the AOS Asserted Patents are invalid or unenforceable, including but not limited to all prior art which you contend renders the AOS Asserted Patents invalid.
7. All documents and things that you contend are prior art to the AOS Asserted Patents, including without limitation documents and things sufficient to identify products of third parties that you contend constitute prior art to the AOS Asserted Patents, or are believed to be covered by any claim of the AOS Asserted Patents.
8. All documents and things relating to the alleged invalidity or unenforceability of the AOS Asserted Patents, including without limitation any search, opinion, study, report, investigation, or analysis conducted by or on behalf of you to determine whether any AOS Asserted Patents are invalid or unenforceable.
9. All documents and things relating to the level of knowledge, schooling, experience, expertise or relevant technical skill of a person having ordinary skill in the art relating to any invention disclosed, described or claimed in the patents-in-suit (as this phrase is used in 35

1 U.S.C. § 103).

2 10. All documents and things sufficient to show the name, number, line, series, family  
3 and any other designation used by you to refer to each Accused Fairchild Device.

4 11. A fully functional sample of each Accused Fairchild Device.

5 12. All documents and things describing any Accused Fairchild Device, including the  
6 recipes, travelers, and/or specifications used to produce the documents and things, and any  
7 analyses of the products such as Secondary Ion Mass Spectrometry (SMS), Scanning Electron  
8 Microscopy (SEM), or Transmission Electron Microscopy (TEM).

9 13. All documents and things relating to the research, development, design,  
10 configuration, engineering, testing, and operation of any Accused Fairchild Device, including  
11 without limitation manuals, design specifications, engineering specifications, manufacturing or  
12 production specifications, schematics, diagrams, charts, test results, laboratory notebooks,  
13 engineering drawings, design drawings, comparisons and any other analyses.

14 14. Documents sufficient to determine the structure and/or composition of all Accused  
15 Fairchild Devices, including without limitation the materials, layers, regions, semiconductors,  
16 insulators, impurities, terminals, impurity concentrations, source contacts, and lead wire  
17 configuration.

18 15. Documents sufficient to determine the manufacturing process by which all  
19 Accused Fairchild Devices are made and assembled, including without limitation directions,  
20 instructions, procedures, specifications, diagrams, charts, test results, notebooks, drawings, and  
21 any analyses for each step in the manufacturing process, i.e., wafer cleaning, substrate formation,  
22 photoresists, photolithography masks, photolithography sequences, dopants, doping procedures,  
23 and/or describing the characteristics of any Accused Fairchild Device.

24 16. Documents sufficient to determine the function and/or performance characteristics  
25 of all Accused Fairchild Devices, including without limitation the function and/or performance  
26 characteristics of any layer, region, interface, connection, and/or bond, the spreading resistance,  
27 conductivity type, threshold voltage, turn-on resistance, depletion width, channel length,  
28 breakdown voltage, breakdown profile, and punch-through tolerance of the devices.



1           17. All documents and things relating to the configuration of lead wire and source  
2 contacts of any Accused Fairchild Devices, including without limitation documents and things  
3 discussing the even or uneven distribution of lead wires for source contact connections and  
4 documents and things discussing lead wire configuration and on-resistance or spread-resistance.

5           18. All documents and things relating to the development of the configuration of lead  
6 wire and source contacts of MOSFET devices, including without limitation documents and things  
7 discussing the even or uneven distribution of lead wires for source contact connections and  
8 documents and things discussing lead wire configuration and on-resistance or spread-resistance.

9           19. All documents and things concerning the advantages or purported advantages of  
10 any Accused Fairchild Device, including without limitation statements related to cost savings,  
11 quality, reliability, features, functions, power consumption, voltage requirements, or other  
12 purported advantages of any Accused Fairchild Device.

13           20. All documents and things relating to product specifications for any Accused  
14 Fairchild Device, including without limitation documents and things that show their dimensions  
15 (including thickness of each layer) and components, materials from which they are made  
16 (including concentrations of each element), the electrical properties of the materials, the  
17 mechanical properties of the materials, the thermal properties of the materials, and a complete set  
18 of design, engineering, and/or manufacturing drawings of any Accused Fairchild Device.

19           21. All articles, publications, papers, reports, or presentations authored in whole or in  
20 part by a current or former employee of Fairchild or any entity affiliated with Fairchild  
21 concerning any Accused Fairchild Device.

22           22. All documents and things concerning your first design of any Accused Fairchild  
23 Device, including but not limited to documents sufficient to identify all persons having  
24 knowledge of your first design of the device, any drawings, specifications, recipes, other  
25 descriptions of the device, and/or any prototype of the device.

26           23. All documents and things relating to competitive analyses, comparisons, reports,  
27 reverse engineering, or differences in structure, function, operation, performance, or the  
28 advantages or disadvantages of any Accused Fairchild Device, including without limitation

1 comparisons of any Accused Fairchild Device to any other device.

2 24. Documents and things sufficient to identify any entity that performs any part of the  
3 manufacture of any Accused Fairchild Devices, including any entity that acts as a foundry or  
4 wafer fab, and documents and things sufficient to identify the role that entity plays in the  
5 manufacture of any Accused Fairchild Devices.

6 25. All documents and things relating to any work performed by any person or entity  
7 other than Fairchild or its employees relating to the research, design, development, or  
8 manufacture of any Accused Fairchild Device.

9 26. All communications between you, on the one hand, and the named inventors of the  
10 AOS Asserted Patents, on the other hand, relating to any Accused Fairchild Device or any AOS  
11 Asserted Patents.

12 27. All documents and things relating to communications between you, on the one  
13 hand, and any other person or entity (including actual or potential customers), on the other hand,  
14 relating to any patents-in-suit.

15 28. All documents and things relating to any products that compete with any Accused  
16 Fairchild Device in the relevant market, including without limitation competitive analyses and  
17 product comparisons.

18 29. Documents sufficient to show the earliest date when you became aware of each of  
19 the AOS Asserted Patents and the actions taken by you in response to such awareness.

20 30. All documents and things relating to knowledge of the AOS Asserted Patents by  
21 any individual involved in the research, design, development, engineering and testing of any  
22 Accused Fairchild Device.

23 31. All documents and things relating to any Fairchild policy or practice for licensing  
24 or valuing the intellectual property, technology, or know-how of others, including but not limited  
25 to any such policy or practice that would apply to the AOS Asserted Patents or other patents  
26 relating to any Accused Fairchild Device.

27 32. All documents and things relating to any Fairchild policy or practice for licensing  
28 or valuing its intellectual property, technology, or know-how, including but not limited to any

1 such policy or practice that would apply to licenses of the Fairchild Asserted Patents or other  
2 patents relating to any AOS Device.

3 33. All documents constituting or reflecting license agreements pertaining to the  
4 Fairchild Asserted Patents.

5 34. Documents sufficient to determine Fairchild's policy or practice for determining  
6 whether its products infringe any U.S. patents.

7 35. All documents and things relating to your document retention policies.

8 36. Documents sufficient to show Fairchild's organizational structure, including, but  
9 not limited to, the corporate structure, officers, board of directors, predecessor corporations, as  
10 well as facilities relating to warranty and service operations for any Accused Fairchild Device,  
11 replacement parts operations for any Accused Fairchild Device, quality inspection operations for  
12 any Accused Fairchild Device, product refurbishing operations for any Accused Fairchild Device,  
13 branch sales operations for any Accused Fairchild Device, and import/export operations for any  
14 Accused Fairchild Device, including without limitation, organizational charts, directors and/or  
15 personnel lists.

16 37. Documents sufficient to identify the location where each Accused Fairchild  
17 Device was researched, designed, tested, made, sold or offered for sale by or on behalf of you.

18 38. All of Fairchild's annual reports to shareholders, annual and quarterly profit and  
19 loss statements, Form 10-K reports filed with the U.S. Securities and Exchange Commission, and  
20 any prospectus prepared or filed since 1998.

21 39. All documents constituting or relating to business plans, strategic plans, consultant  
22 reports or strategy reviews concerning the design, manufacture, marketing or sale of any Accused  
23 Fairchild Device.

24 40. All documents relating to marketing of the Accused Fairchild Devices, including  
25 without limitation market requirement statements, marketing reports, market feedback reports,  
26 market studies, market forecasts, market surveys, competitive analyses, market share data,  
27 customer needs studies, advertising materials, promotional materials, trade show releases, and  
28 product descriptive literature.

1           41. All documents relating to each license granted by you or obtained by you which  
2 cover in whole or in part any technology contained in any Accused Fairchild Device, including  
3 without limitation complete licensing agreements and royalty reports.

4           42. All documents relating to the negotiations concerning each license granted or  
5 obtained by you which cover in whole or in part any technology contained in any Accused  
6 Fairchild Device.

7           43. Documents sufficient to identify each of your U.S. and foreign customers for any  
8 Accused Fairchild Device.

9           44. All documents reflecting communications regarding AOS, any of the patents-in-  
10 suit, or this litigation, with each customer, potential customer, buyer, client, consumer or vendor  
11 for all the Accused Fairchild Devices.

12           45. All documents relating to any requirements of your customers, both in the United  
13 States and worldwide, relating to any Accused Fairchild Device, including without limitation  
14 specifications, design parameters, tolerances, features, functions, price, and other requirements.

15           46. Documents and things sufficient to identify your sales of Accused Fairchild  
16 Devices and/or other Fairchild products that were sold with any Accused Fairchild Device, both  
17 in the United States and worldwide, including without limitation documents sufficient to identify  
18 the name of such customers and the products the customers purchased.

19           47. All documents reflecting Fairchild's profit margins on any Accused Fairchild  
20 Device, including without limitation gross margin, order contribution, incremental profit, product  
21 margin and product contribution margin from January 1, 1998 to the present.

22           48. Documents sufficient to determine the profitability of all Accused Fairchild  
23 Devices, including without limitation unit sales, revenues, costs, including costs of manufacturing  
24 and sales, gross margins, operating margins, pricing elasticity, factors affecting price and price  
25 comparisons.

26           49. Documents sufficient to determine the amount of sales, sales forecasts, costs of  
27 sales, projected sales and anticipated sales of all Accused Fairchild Devices, including without  
28 limitation sales reports, business plans, budgets, forecasts and outside consultants' or financial

1 analysts' reports.

2 50. Documents and things sufficient to determine the costs of production for all  
3 Accused Fairchild Devices from January 1, 1998 to the present.

4 51. All documents constituting or referring to analyses of the U.S. and worldwide  
5 markets for all Accused Fairchild Device, including without limitation reports obtained by  
6 Fairchild from others.

7 52. All documents discussing or relating to the share of the market possessed or  
8 expected to be possessed by any Accused Fairchild Device from January 1, 1998 to the present.

9 53. All documents relating to any efforts to reduce manufacturing costs of any  
10 Accused Fairchild Device and any benefits thereof.

11 54. All documents relating to any communications between AOS and you relating to  
12 the patents-in-suit, including without limitation any negotiations between AOS and you and  
13 materials used to analyze the patents-in-suit.

14 55. All documents evidencing your knowledge or lack of knowledge concerning the  
15 downstream sales or uses of any Accused Fairchild Device, including without limitation your  
16 knowledge or lack of knowledge that any Accused Fairchild Devices are made, used, sold,  
17 offered for sale, or imported in(to) the United States.

18 56. All documents and things relating to the Fairchild Asserted Patents.

19 57. All documents and things relating to any patents (whether expired or in force) or  
20 patent applications (whether issued, pending, or abandoned) related to the Fairchild Asserted  
21 Patents, including any continuations, continuations-in-part, divisionals, reissues, reexaminations,  
22 or counterparts related thereto, and any related foreign patents and patent applications, including  
23 any underlying patent applications.

24 58. All documents supporting Fairchild's contention that AOS infringes the Fairchild  
25 Asserted Patents.

26 59. All documents and things evidencing or relating to the conception of any invention  
27 claimed, disclosed, or described by any Fairchild Asserted Patent.

28 60. All notebooks, diaries, files, appointment calendars, research reports, or

1 workbooks generated or maintained by any inventor of any of the Fairchild Asserted Patents or  
2 AOS Asserted Patents during the time period beginning with the earliest possible date of  
3 conception of the patented invention and ending with the issuance of the patent.

4 61. All documents and things prepared, reviewed, or edited by an inventor of any  
5 Fairchild Asserted Patent relating to any invention disclosed, described, or claimed in the  
6 Fairchild Asserted Patent.

7 62. Documents reflecting the last-known residence and employment of each inventor  
8 of any Fairchild Asserted Patent.

9 63. All documents and things evidencing or relating to the first reduction to practice of  
10 any invention claimed, disclosed, or described by any Fairchild Asserted Patent.

11 64. All drawings, prototypes, notes, notebooks, workbooks, project reports,  
12 correspondence, memoranda, reports, test results, and all other documents and things relating to,  
13 or that were created, used, or referred to in connection with, the design, research, development, or  
14 testing of any invention claimed, disclosed, or described in any Fairchild Asserted Patent.

15 65. All drawings, prototypes, notes, notebooks, workbooks, project reports,  
16 correspondence, memoranda, reports, test results, and all other documents and things relating to,  
17 or that were created, used, or referred to in connection with, the design, research, development, or  
18 testing of any method for improving

19 66. All documents and things regarding the breakdown characteristics or performance  
20 of trench MOSFET devices, including without limitation breakdown initiation.

21 67. All documents and things regarding the breakdown characteristics, breakdown  
22 performance, and/or resistance to "punchthrough" of any devices that Fairchild contends practice  
23 any claim of the Fairchild Asserted Patents, including without limitation any analysis or  
24 simulation of the breakdown initiation in such devices.

25 68. All documents and things regarding the doping of any "heavy body" and any  
26 "doped well" in a MOSFET device, including without limitation the existence or creation of any  
27 "abrupt junction" at any interface between such a "heavy body" and such a "doped well."

28 69. All documents and things referring to or defining an "abrupt junction."

1           70. All documents and things constituting or relating to prior art references for any  
2 Fairchild Asserted Patent.

3           71. All documents and things relating to your first commercial embodiment of each  
4 and every Fairchild Asserted Patent.

5           72. All documents referring to any AOS Device.

6           73. All patents or patent applications (foreign or domestic, pending, abandoned or  
7 issued) owned or controlled by you relating to the design, configuration, or method of  
8 manufacture of any MOSFET IC device.

9           74. All draft or final press releases relating to the AOS Asserted Patents, Fairchild  
10 Asserted Patents, this lawsuit, or any product relating to any of the foregoing.

11           75. All documents reflecting any assignment, sale, acquisition, license or transfer of  
12 any rights relating to any Fairchild Asserted Patent or any related patent or application.

13           76. The personnel files for any employee who was involved in the development of the  
14 claimed invention in any Fairchild Asserted Patent.

15           77. All documents relating to your contemplated or actual commercial exploitation of  
16 any invention disclosed, described, or claimed by any Fairchild Asserted Patent, including  
17 without limitation feasibility studies, marketing plans, marketing forecasts, estimates or  
18 projections of market share, periodic research and development reports, management reports or  
19 other periodic reports, advertisements, promotional brochures, product literature, catalogs, trade  
20 show exhibits or displays, technical brochures, specifications, price lists, contracts, purchase  
21 orders, papers published or presented, and customer lists (including sales to all end-users,  
22 distributors and retailers).

23           78. Documents sufficient to determine the structure, function, or operation of all  
24 products made, used, sold, offered for sale, licensed, offered for license, or transferred by or for  
25 Fairchild that you contend embody or use any invention disclosed, described, or claimed in any  
26 Fairchild Asserted Patent.

27           79. Documents sufficient to identify all persons who participated in the design or  
28 development of all products made, used, sold, offered for sale, licensed, offered for license, or



1 transferred by or for Fairchild that you contend embodies or uses any invention disclosed,  
2 described, or claimed in any Fairchild Asserted Patent.

3 80. All documents and things relating to commercial exploitation by others of any  
4 invention disclosed, described, or claimed in any Fairchild Asserted Patent.

5 81. All documents and things relating to AOS.

6 82. All documents and things relating to any current or former employee of AOS.

7 83. All documents and things relating to any AOS product.

8 84. All documents relating to the prosecution of the applications that resulted in the  
9 Fairchild Asserted Patents, or related patents or applications, including without limitation the files  
10 of attorneys or other individuals involved in prosecuting the Fairchild Asserted Patents, related  
11 patents, or related applications.

12 85. Documents sufficient to identify all persons involved with prosecuting the  
13 Fairchild Asserted Patents, related patents, or related applications.

14 86. All documents constituting or reflecting any search, investigation, evaluation, or  
15 opinion as to the novelty, patentability, validity, enforceability, or scope of any Fairchild Asserted  
16 Patent, or any related patent or application.

17 87. All patents and other publications that were reviewed or received by anyone  
18 involved with prosecuting any Fairchild Asserted Patent, related patent, or related application,  
19 during the period of such involvement.

20 88. All documents evidencing or relating to the earliest sales and offers for sale of any  
21 invention disclosed, described, or claimed in any Fairchild Asserted Patent, or of any product  
22 embodying or using any invention disclosed, described, or claimed in any Fairchild Asserted  
23 Patent, including without limitation all advertising, sales, promotional, and technical materials  
24 relating to such offers and sales.

25 89. All documents and things evidencing or relating to making, using, testing, or  
26 selling any invention disclosed, described, or claimed in any Fairchild Asserted Patent, including  
27 without limitation documents and things relating to the first uses (whether or not public) of such  
28 inventions.



1           90. All documents and things evidencing or relating to (a) public use, (b) on sale  
2 activity, (c) commercial exploitation, and (d) experimental use (as these phrases are used in the  
3 application of 35 U.S.C. § 102(b)), by each inventor, you, or any other person, of any invention  
4 disclosed, described, or claimed in any Fairchild Asserted Patent.

5           91. All documents and things constituting, evidencing or relating to patents,  
6 publications, written descriptions, or other prior art references of which you are aware, relating to  
7 any invention claimed in any of the Fairchild Asserted Patents.

8           92. All documents constituting or reflecting searches, investigations, or evaluations of  
9 domestic or foreign patents, literature, or other published materials relating to any invention  
10 disclosed, described, or claimed in any of the Fairchild Asserted Patents.

11           93. All documents and things evidencing or relating to products of third parties that  
12 constitute prior art to any Fairchild Asserted Patent.

13           94. All publications, including without limitation books, book excerpts, articles in  
14 technical or trade publications, conference papers or presentations, or internal technical  
15 memoranda, authored in whole or in part by any inventor of any Fairchild Asserted Patent,  
16 regarding breakdown performance or breakdown characteristics of MOSFETs.

17           95. All publications, articles, conference papers, or technical or marketing  
18 presentations relating to any commercial embodiment of the Fairchild Asserted Patents.

19           96. All documents and things relating to whether any commercial embodiment, or  
20 invention disclosed, described, or claimed in any Fairchild Asserted Patent satisfied any long-felt  
21 but unresolved need.

22           97. All documents and things evidencing or relating to any problems solved by any  
23 commercial embodiment or invention disclosed, described, or claimed in any Fairchild Asserted  
24 Patent.

25           98. All documents and things evidencing or relating to failures by persons to solve any  
26 problems solved by any commercial embodiment or invention disclosed, described, or claimed in  
27 any Fairchild Asserted Patent.

28           99. All documents and things evidencing or relating to whether any commercial

1 embodiment or invention disclosed, described, or claimed in any Fairchild Asserted Patent, has  
2 been commercially successful.

3 100. All documents and things evidencing or relating to whether any commercial  
4 embodiment or invention disclosed, described, or claimed in any Fairchild Asserted Patent, has  
5 been copied by others.

6 101. All documents and things evidencing or relating to whether any commercial  
7 embodiment or invention disclosed, described, or claimed in any Fairchild Asserted Patent, has  
8 been praised by anyone other than its inventors or you.

9 102. All documents and things evidencing or relating to whether any commercial  
10 embodiment or invention disclosed, described, or claimed in any Fairchild Asserted Patent has  
11 departed from accepted principles in the industry.

12 103. All documents and things evidencing or relating to whether any commercial  
13 embodiment or invention disclosed, described, or claimed in any Fairchild Asserted Patent has  
14 been recognized by the industry or received industry acclaim.

15 104. All documents evidencing or relating to the level of knowledge, schooling,  
16 experience, expertise, or relevant technical information of a person having ordinary skill in the  
17 arts to which any invention is disclosed, described, or claimed in the Fairchild Asserted Patents  
18 (as this phrase is used in 35 U.S.C. § 103).

19 105. All documents and things evidencing or relating to any mode contemplated by any  
20 inventor for carrying out any invention disclosed, described, or claimed in any Fairchild Asserted  
21 Patent, from a period starting with the earliest possible conception of the invention and ending six  
22 months after the patent application was filed.

23 106. For the Fairchild Asserted Patents, all documents and things evidencing or relating  
24 to the best mode contemplated by their inventors carrying out any invention disclosed, described,  
25 or claimed in the patents or applications (as this phrase is used in 35 U.S.C. § 112, 1st paragraph).

26 107. All documents reflecting any statement, assertion, or claim by anyone relating to  
27 the patentability, validity, enforceability, or scope of any claim of any Fairchild Asserted Patent,  
28 including without limitation any document that states or implies that any Fairchild Asserted

1 Patent, or any claim thereof, is, or may be, invalid or unenforceable.

2 108. Documents sufficient to determine when and how you first learned of any of the  
3 AOS Devices that allegedly infringe any Fairchild Asserted Patent.

4 109. All documents and things evidencing or relating to AOS's alleged use of any  
5 invention disclosed, described, or claimed in any Fairchild Asserted Patent including without  
6 limitation all documents and things establishing or otherwise showing when and how you first  
7 learned of any such alleged use or infringement.

8 110. All documents and things constituting, evidencing or relating to any analysis of  
9 any of AOS's products for potential or actual infringement of any Fairchild Asserted Patent.

10 111. All documents constituting or reflecting any opinion regarding infringement by  
11 anyone of any Fairchild Asserted Patent.

12 112. A fully functional sample of each commercial embodiment of each and every  
13 Fairchild Asserted Patent.

14 113. All documents and things constituting, evidencing or relating to any product that  
15 competes with any commercial embodiment.

16 114. All documents and things that show any commercial embodiment marked with a  
17 U.S. patent number of the relevant Fairchild Asserted Patent in accordance with 35 U.S.C. § 287,  
18 including the dates on which the mark was affixed, the identity of the person(s) who marked the  
19 commercial embodiment and the manner in which each such commercial embodiment was  
20 marked.

21 115. Documents sufficient to identify, such as by manufacturer, model, and part  
22 number, all automated information systems at Fairchild, both past and present, including e-mail  
23 and document management systems, including without limitation any such e-mail or document  
24 management systems that would apply to documents concerning the design, manufacture,  
25 production, marketing, or sales of Accused Fairchild Devices or documents concerning the AOS  
26 Asserted Patents or the Fairchild Asserted Patents.

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Dated: July 27, 2007

MORGAN, LEWIS & BOCKIUS LLP

By /s/ Daniel Johnson, Jr.  
Daniel Johnson, Jr.  
Attorneys Plaintiffs and Counterdefendants  
ALPHA & OMEGA SEMICONDUCTOR,  
LTD., AND ALPHA & OMEGA  
SEMICONDUCTOR, INC.

CERTIFICATE OF SERVICE

I am employed in the City of Palo Alto, County of Santa Clara, State of California, I am over the age of 18 years and not a party to the within action. My business address is 2 Palo Alto Square, 3000 El Camino Real, Palo Alto, California 94306. On July 30, 2007, I caused copies of the attached document(s) described as follows:

**ALPHA & OMEGA SEMICONDUCTOR, INC.'S FIRST SET OF REQUESTS TO FAIRCHILD SEMICONDUCTOR CORP. FOR PRODUCTION OF DOCUMENTS AND THINGS**

to be served on:

Eric P. Jacobs, Esq.  
**TOWNSEND & TOWNSEND**  
 2 Embarcadero Center, 8th Floor  
 San Francisco, CA 94111  
 Tel: 415.576.0200  
 Fax: 415.576.0300

(BY OVERNIGHT DELIVERY) I caused each such envelope to the addressee(s) noted above, with charges fully prepaid, to be sent by overnight delivery from Palo Alto, California. I am readily familiar with the practice of Morgan, Lewis & Bockius LLP for collection and processing of correspondence for overnight delivery, said practice being that in the ordinary course of business, mail is placed with the overnight delivery service on the same day as it is placed for collection.

(BY ELECTRONIC MAIL) The person whose name is noted below caused to be transmitted by electronic mail each such document to the addressee(s) noted above.

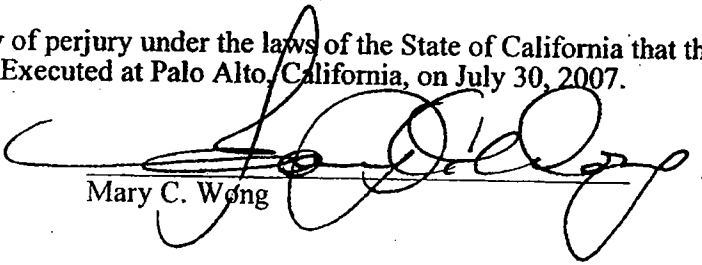
(BY FIRST CLASS MAIL) I caused each such envelope to the addressee(s) noted above, with postage thereon fully prepaid, to be placed in the United States mail in Palo Alto, California. I am readily familiar with the practice of Morgan, Lewis & Bockius LLP for collection and processing of correspondence for mailing, said practice being that in the ordinary course of business mail is deposited in the United States Postal Service the same date as it is placed for collection; and

(BY FACSIMILE) The person whose name is noted below caused to be transmitted by facsimile each such document to the addressee(s) noted above; and

X (BY PERSONAL SERVICE) The person whose name is noted below caused to be delivered by hand each such envelope to the addressee(s) noted above.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed at Palo Alto, California, on July 30, 2007.

Mary C. Wong



**Exhibit 16**  
**Highly Confidential -**  
**Attorneys' Eyes Only**  
**(Filed Under Seal)**

# **Exhibit 17**

**Augustine Jr., Leonard J.**

---

**From:** Ahren C. Hoffman [ahoffman@morganlewis.com]  
**Sent:** Friday, August 01, 2008 6:54 PM  
**To:** Sreenivasan, Priya  
**Cc:** aosvfairchild@morganlewis.com; Jacobs, Eric P.; Shoiket, Igor; Augustine Jr., Leonard J.; Hulse, Matthew R  
**Subject:** Re: Fairchild/AOS-30(b)(6) Deposition of AOS

Priya,

Contrary to your assertions, AOS has produced all documents that you properly and clearly requested, including but not limited to process flows, drive-in diffusion recipes, and information describing product simulations. Indeed, AOS has produced each piece of information specifically requested by Fairchild and satisfied discovery requests above and beyond those called for under the parties' agreement to proceed with discovery on the basis of representative parts. To the extent you claim that AOS has not produced certain documents, you need to be much clearer than simply describing those as "other technical documents." Accordingly, at this juncture, the decision to take the deposition off the calendar is Fairchild's alone.

Yours sincerely,

Ahren C. Hoffman  
Morgan, Lewis & Bockius LLP  
2 Palo Alto Square  
3000 El Camino Real, Suite 700  
Palo Alto, California 94306  
650-843-7250 (office)  
650-843-4001 (fax)  
ahoffman@morganlewis.com

"Sreenivasan, Priya" <psreenivasan@townsend.com>

07/31/2008 09:51 AM

To aosvfairchild@morganlewis.com

cc "Jacobs, Eric P." <epjacobs@townsend.com>, "Shoiket, Igor" <ishoiket@townsend.com>, "Hulse, Matthew R" <mrhulse@townsend.com>, "Augustine Jr., Leonard J."

<ljaugustine@townsend.com>

Subject Fairchild/AOS-30(b)(6) Deposition of AOS

Brett:

AOS has failed to produce the relevant recipes and other technical documents requested by Fairchild that are needed for Fairchild to proceed with the 30(b)(6) deposition of AOS on August 12th. Therefore, Fairchild will re-schedule the deposition once AOS produces the relevant documents.

Priya Sreenivasan, Esq.  
Litigation Associate  
Townsend and Townsend and Crew, LLP  
Two Embarcadero Center, 8th Floor  
San Francisco, CA 94111  
Phone: 415.273.4742  
Fax: 415.576.0300

8/11/2008



psreenivasan@townsend.com

[www.townsend.com](http://www.townsend.com)

Offices in: Denver | Palo Alto | San Diego | San Francisco | Seattle | Tokyo | Walnut Creek | Washington D.C.

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8/11/2008

**Exhibit 18**  
**Highly Confidential -**  
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**(Filed Under Seal)**